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3 IN THE UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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7 RODERICK WASHINGTON,)
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9) No. C 07-2836 TEH (PR)
10)
11) ORDER OF DISMISSAL
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14) (Docket Nos. 2, 5)
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On May 31, 2007, Plaintiff filed a motion to proceed in forma pauperis which was not accompanied by a complaint (docket no. 2). The application was not on the correct form and on that same day, the Clerk notified Plaintiff that he must pay the filing fee or a the Court's application to proceed in forma pauperis in thirty days or the action would be dismissed. The Clerk of the Court also notified Plaintiff that if he did not submit a complaint or petition within thirty days, the action would be dismissed (docket no. 1). Plaintiff has not filed a complaint or petition. Accordingly, this case is DISMISSED without prejudice for failure to prosecute and to comply with a court order pursuant to Federal Rule of Civil Procedure 41(b). See Link v. Wabash R.R., 370 U.S. 626, 633 (1962); McKeever v. Block, 932 F.2d 795, 797 (9th Cir. 1991). Plaintiff's motions are DENIED (docket no. 2, 5). The Clerk shall terminate the pending motions and enter judgment in accordance with this order.

SO ORDERED.

DATED: 10/09/07


THELTON E. HENDERSON
United States District Judge